

EXECUTIVE CHAMBERS

HONOLULU

July 10, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 932

Honorable Members  
Twenty-Fourth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 932, entitled "A Bill for an Act Relating to A Comprehensive Offender Reentry System."

The purposes of this bill are to establish a comprehensive offender reentry system for adult offenders with reentry programs, form a one-year pilot day reporting center work furlough program administered by the department of public safety, and create a legislative oversight committee. A total of \$3.5 million is appropriated in fiscal year 2007-08 only for these programs.

This bill is objectionable because it endangers the well-being of the inmate population, compromises the safety of the community, may expose the State to costly litigation, and provides only a single year of funding for programs with multi-year impacts.

First, this bill would require the return of out-of-state inmates at least one year prior to the inmate's parole or release date, irrespective of whether there is available space to house the inmates. This is objectionable because statutorily requiring the indiscriminate determination of an offender's eligibility for reentry into the community based on his/her release date, rather than the cognitive and behavioral preparedness of the offender without consideration for public

STATEMENT OF OBJECTIONS  
SENATE BILL NO. 932  
Page 2

safety and inmate security, endangers the safety of the community, may create additional overcrowding and unsafe conditions for prisoners, and exposes the State to liability. This will also increase the number of inmate litigations in cases where the department has no available beds and could result in the early release of prisoners.

Second, the bill establishes unrealistic expectations that inmates will be incarcerated in facilities nearest their families without providing the means for carrying out this policy. Overcrowding already exists at a number of Hawaii's current in-state correctional institutions. To lead inmates to believe they will be placed in a location where there is no room is unfair to the prisoner, misleading to his or her family, and discriminates against those inmates who do not have dependents. Further, it may expose the State to potential costly litigation.

Third, the bill appropriates \$3.5 million outside of the legislatively approved biennium budget to start programs in fiscal year 2007-2008 but fails to provide funding in the subsequent year or address the fiscal implications of these programs in future years. This is fiscally imprudent and could lead to the start-up of programs that would have to be closed down less than 12 months later.

Finally, The Offender Reentry Legislative Oversight Committee, established by Part II, is duplicative of the authority the Legislature already has to conduct site visits, access areas in correctional facilities, hold public meetings, and make recommendations to the Department of Public Safety. Further, this Committee duplicates efforts of the Corrections Population Management Commission established by Act 343 of 1993

4  
STATEMENT OF OBJECTIONS  
SENATE BILL NO. 932  
Page 3

which already includes members of the Legislature.

For the foregoing reasons, I am returning Senate Bill  
No. 932 without my approval.

Respectfully,

A handwritten signature in dark ink, appearing to read 'Linda Lingle', is written over the printed name.

LINDA LINGLE  
Governor of Hawaii